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5 The Hon. Ronald B. Leighton  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

9 STORMANS, INCORPORATED doing business  
as RALPH'S THRIFTWAY; RHONDA  
10 MESLER, MARGO THELEN

11 Plaintiffs,  
12 vs.

13 MARY SELECKY, Acting Secretary of the  
Washington State Department of Health, et al.

14  
15 Defendants.

**STIPULATION AND ORDER  
SUBSTITUTING PUBLIC  
OFFICIAL'S SUCCESSOR AS  
DEFENDANT**

Civil Action No. C07-5374

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18 **STIPULATION**

19 It is stipulated by and between the above-entitled parties, through their respective  
20 attorneys, that Yvonne Lopez Morton is now a duly qualified and acting Commissioner of the  
21 Human Rights Commission of the State of Washington, succeeding Kathy Baros Friedt, an  
22 above-named defendant, and that pursuant to Rule 25(d) of the Federal Rules of Civil

23

STIPULATION AND ORDER SUBSTITUING  
PUBLIC OFFICIAL'S SUCCESSOR AS  
DEFENDANT - No. C07-5374 - 1

ELLIS, LI & MCKINSTRY PLLC  
Attorneys at Law  
Two Union Square  
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1 Procedure, Yvonne Lopez Morton may be substituted as a party defendant for Kathy Baros  
2 Friedt.

3 It is also stipulated by and between the above-entitled parties, through their respective  
4 attorneys, that Mary Selecky is no longer the "Acting Secretary of the Washington State  
5 Department of Health," and serves as "Secretary of the Washington State Department of  
6 Health."

7

8 Dated this 31st day of January, 2008  
9 Ellis, Li & McKinstry, PLLC

Dated this 31<sup>st</sup> day of January, 2008  
Washington State Attorney General

10 s/ Kristen K. Waggoner  
11 Kristen K. Waggoner, WSBA# 27790  
12 • Steven T. O' Ban, WSBA# 17265  
13 Attorney for Plaintiffs

s/ Traci Friedl  
Traci Friedl, WSBA# 31538  
Attorney for Defendants Casson, Cano-Lee,  
Herbert, Murinko, Friedt, & Brenman

14 Dated this 31st day of January, 2008  
15 Washington State Attorney General

Dated this 31st day of January, 2008  
Heller Ehrman LLP

16 s/ Joyce A. Roper  
17 Joyce A. Roper, WSBA# 11322  
18 Attorney for Defendants Department of  
19 Health, Selecky, Jinkins, Roe, Boyer,  
20 Connolly, Harris, Slatter, Hille, & Duffy

s/ Molly A. Terwilliger  
Molly A. Terwilliger, WSBA# 28449  
Attorney for Defendant Intervenors  
Billings, Andreini, Schouten, Harmon,  
Rosman, Schmidt, & Garrard

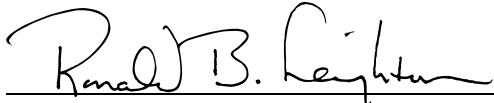
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1 ORDER

2       Based on the foregoing stipulation of the parties, it is hereby ordered that Yvonne  
3 Lopez Morton be substituted as a defendant in this action in the official capacity as a  
4 Commissioner of the Human Rights Commission of the State of Washington, in the place of  
5 Kathy Baros Friedt, pursuant to Rule 25(d) of the Federal Rules of Civil Procedure. It is also  
6 hereby ordered that defendant Mary Selecky be described as Secretary of the Washington State  
7 Department of Health for purposes of this action.

8       DATED this 1<sup>ST</sup> day of February, 2008.

9  
10   
RONALD B. LEIGHTON

11       UNITED STATES DISTRICT JUDGE

12       Presented by:

13       Ellis, Li & McKinstry, PLLC

Washington State Attorney General

14       By: s/ Kristen K. Waggoner  
15       Kristen K. Waggoner, WSBA# 27790  
16       Steven T. O' Ban, WSBA# 17265  
17       Attorney for Plaintiffs

By: s/ Traci Friedl  
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Attorney for Defendants Casson, Cano-Lee,  
Herbert, Murinko, Friedt, & Brenman

18       Washington State Attorney General

Heller Ehrman LLP

19       By: s/ Joyce A. Roper  
20       Joyce A. Roper, WSBA# 11322  
21       Attorney for Defendants Department of  
22       Health, Selecky, Jinkins, Roe, Boyer,  
Connolly, Harris, Slatter, Hille, & Duffy

By: s/ Molly A. Terwilliger  
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